IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 10697 of 2005

Between:

Muddasani Kamala W/o Ramachander Rao

Aged about 51 years, Occ: Household

R/o Rukmapur Village, Choppadandi Mandal,

Karimnagar Distrcit

..... PETITIONER

AND

1. The Mandal Revenue Officer,

   Choppadandi Mangdal, Karimnagar District

2. The Collector, Karimnagar,

   Karimnagar District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Certiorari, call for the records pertaining and connected with impugned proceedings No.B/1196/97 dated 16-4-2005 of the 1st respondent and quash the same by declaring it as illegal, arbitrary, against the provisions of Act 9 of 1977 and violative of principles of natural justice and also violative of Articles 14,16 of the Constitution of India and pass such other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.J.CH.Y.NARASIMHAM
Counsel for the Respondent No.: GP FOR REVENUE

The Court made the following :

ORAL ORDER:

This writ petition is filed questioning the proceedings passed by the 1st respondent dated 16-4-2005 in Porc.No.B/1196/97 dated 16-4-2005 in exercise of the powers under A.P. Assigned Lands (Prohibition of Transfers) Act, 1977 (for short 'the Act').

Under Section 4A of the Act, an appeal lies against the order impugned in this writ petition. The petitioner can effectively avail his remedy before the appellate authority as against the said order. There is no reason to by pass the said remedy and approach this Court under Article 226 of the Constitution of India.

In that view of the matter, the writ petition is disposed of at the admission stage, permitting the petitioner to prefer an appeal under Section 4A of the Act before the appellate authority within a period of eight weeks from the date of receipt of a copy of this order, and status quo with regard to the land in possession of the petitioner shall be maintained, for a period two months. It is also open for the petitioner to seek appropriate interim orders before the appellate authority. No costs.

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29-4-2005

Note:

C.C. in three days

B/o

asp

To:

1. The Mandal Revenue Officer,

   Choppadandi Mangdal, Karimnagar District
2. The Collector, Karimnagar,

   Karimnagar District
3. Two C.Cs. to the G.P. for Revenue, High Court Buildings, Hyderabad
4. Two C.D. copies